



PUBLIC NOTICE

Federal Communications Commission
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THE WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON CONTITECH USA INC.'S REQUEST FOR WAIVER OF 76 GHZ RADIOLOCATION RULES

WT Docket No. 22-260

Comments Due: 30 days from release

Reply Comments Due: 45 days from release

On February 24, 2022 ContiTech USA, Inc. ("ContiTech") requested a waiver of section 90.103(b) to allow for the certification and marketing of a Conveyor Radar Device in the 76-77 GHz band.¹ The 76 GHz band is normally limited to vehicular radars and airport runway debris detection radars. Under Part 90 of our rules, radars are subject to site based licensing for fixed radiolocation operations. ContiTech seeks to use its radar for conveyor belt monitoring in the 76 GHz band.

Section 90.103(b) of the Commission's rules governs radiolocation service.² ContiTech's conveyor radar device was originally developed for use in automobiles for collision avoidance and adaptive cruise control operating in the 76-81 GHz band.³ ContiTech seeks permission to use its radars to support mining, milling, and tunneling operations in the 76-77 GHz band.⁴ The radars would be placed above a conveyor belt to monitor weight changes, energy consumption, and provide safety information.⁵

In order to avoid interference to incumbent vehicular radars and airport runway debris detection radars, ContiTech asserts all conveyor radar deployments will be within controlled property boundaries of the operators, which are restricted from the general public.⁶ ContiTech also asserts it will mitigate harmful interference in the band through the use of pseudo noise coding, positioning and installation restrictions, and controls on power levels.⁷

By this Public Notice, the Wireless Telecommunications Bureau seeks comment on this waiver request including its potential impact on incumbent operations in the band. If approved, what conditions should be placed on the use and deployment of these radar systems and how much separation would be needed from public roadways or airport facilities to mitigate any potential interference?

¹ ContiTech USA, Inc. Request for Waiver of Section 90.103 (b) of the Commission's Rules, WT Docket No. 22-260, at 1 (filed Feb.24, 2022), <https://www.fcc.gov/ecfs/search/search-filings/filing/1022459833895> (Request).

² 47 CFR § 90.103(b).

³ Request at 2.

⁴ Request at 1.

⁵ Request at 4-5.

⁶ Request at 5.

⁷ See Request at 7-11.

Procedural Matters

To develop a complete record on the issues presented by this request, the proceeding will be treated, for ex parte purposes, as a “permit-but-disclose” proceeding in accordance with Section 1.1200(a) of the Commission’s rules, subject to the requirements under Section 1.1206(b). ContiTech filed its petition electronically as a non-docketed proceeding in the Commission’s Electronic Comment Filing System. We have opened a new docket, **WT Docket 22-260**, to facilitate consideration of this request and have moved ContiTech’s petition into this docket. Parties should file all comments and rely comments in **WT Docket 22-260**.

Filing Requirements. Parties may file comments, identified by **WT Docket No. 22-260**, by any of the following methods:

- Electronic Filers: Comments may be filed electronically using the internet by accessing the ECFS: <https://www.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.

Filings can be sent by commercial courier or by the U.S. Postal Service. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

- Commercial deliveries (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- U.S. Postal Service First-Class, Express, and Priority mail must be addressed to 45 L Street, NE, Washington, DC 20554.
- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19. *See* FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy, Public Notice, DA 20-304 (March 19, 2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.
- During the time the Commission’s building is closed to the general public and until further notice, if more than one docket or rulemaking number appears in the caption of a proceeding, paper filers need not submit two additional copies for each additional docket or rulemaking number; an original and one copy are sufficient.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Government Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

Additional Information. For further information regarding this Public Notice, please contact Morgan Mendenhall at morgan.mendenhall@fcc.gov or (202) 418-0154.

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